

## REMARKS

Claims 1-15 were pending in this application. Claims 1-6, 8, 9, and 11-15 stand rejected.

Claims 7 and 10 are objected to. Claims 5, 6, 7, 9, 11, 13, and 15 have been amended.

Claims 10, 12, and 14 have been cancelled. New claims 16-23 have been added.

### **Claim Rejections – 35 USC § 102:**

The Examiner has stated that “(c)laims 1-5, 9, 11, 12 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker (4,220,446).” Office Action, page 2. Applicant requests reconsideration in light of arguments below and amendments to the claims.

With regard to claims 1-4, claims 1-4 have been cancelled. Applicant reserves the right to prosecute these claims in a continuing application.

Claim 5 has been amended to depend on claim 7, which the Examiner has found allowable if rewritten in independent form including all limitations of any intervening claims, which it has. Applicant requests allowance of claim 5.

Claim 9 has been amended to depend upon claim 7, which the Examiner has found allowable if rewritten in independent form including all limitations of any intervening claims, which it has. Applicant requests allowance of claim 9.

With regard to claim 11, Applicant requests reconsideration in light of amendments to the claim. Nowhere does *Walker* disclose a “compound container adapted to dispense said dental cleaning compound by pressing on the external surface of said compound container”, as recited in claim 11, as amended. Support for this amendment can be found in paragraphs 21 and 22, for example. Applicant requests withdrawal of this rejection of claim 11. New claims 18 and 20 ultimately depend on claim 11. Applicant requests allowance of claims 11, 18, and 20.

Claims 12 and 14 have been cancelled.

The Examiner has stated that “(c)laims 1-5, 6, 9, 11-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Condon (3,775,849).” Office Action, page 2. Applicant requests reconsideration in light of amendments to the claims.

With regard to claims 1-4, claims 1-4 have been cancelled. Applicant reserves the right to prosecute these claims in a continuing application.

Claim 5 has been amended to depend on claim 7, which the Examiner has found allowable if rewritten in independent form including all limitations of any intervening claims, which it has. Applicant requests allowance of claim 5.

Claims 6 and 9 have been amended to be dependent on claim 7, which the Examiner found to be allowable if rewritten in independent form, which it has been. Applicant request allowance of claims 6 and 9, as amended.

With regard to claim 11, Applicant requests reconsideration in light of amendments to the claim for the same reasons as discussed above for *Walker*.

With regard to claim 13, Applicant asserts that the Examiner’s characterization of the clips 70, 71, 72 of *Condon* having disclosed an annulus is in error, as these clips have a slot 76, and are thus not an annulus. However, new claim 16, and its new dependent claim 17, have been added to address this concern of the Examiner. Nowhere does *Condon* disclose an attachment portion, “wherein said attachment portion comprises an annulus”, ... and “wherein said annulus is at least in part a complete circumferential annulus”, as recited in claims 16 and 17, as amended.

*Condon* states that a “slot 76 is formed in the enlarged section 78 so that the enlarged section 75 may be resiliently spread open to enable the clips to extend about the peripheral portion of the handpiece.” Condon, Col. 5, lines 19-22. Figure 1 of *Condon* shows that a “complete circumferential annulus”, as recited in amended claim 16, would not function properly, as the clip 71, for example, is clipped to a narrower portion than either end of the

implement disclosed. Thus, *Condon* could not be modified per the amended claim and function for its purpose. Support for the amendment to claim 16 can be found at least in Figures 5c and 6A. Applicant requests withdrawal of the rejection with regard to claim 13, and allowance of new claims 16, 17, 18, and 19.

Claims 12 and 14 have been cancelled.

**Claim Rejections – 35 USC § 103:**

The Examiner has stated that “(c)laims 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker (4,220,446).” Office Action, page 3.

Claim 8 has had its dependency changed, via an amendment to claim 5, to claim 7, which the Examiner had found to be allowable if rewritten in independent form, which has been done. Applicant requests withdrawal of this rejection with regard to claim 8.

Claim 15 has been amended to have its dependency changed to new claim 16. The patentability of claim 16 has been discussed above. Applicant requests withdrawal of this rejection with regard to claim 15.

**Allowable Subject Matter:**

The Examiner has stated that “(c)laims 7 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” Office Action, page 3. Applicant thanks the Examiner for this allowance. Claim 10 has been cancelled. Claim 7 has been rewritten in independent form including all of the limitations of the base claim and the intervening claims. Applicant requests allowance of claim 7.

**Drawings:**

The Examiner has stated that “(t)he drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 201, 206, 210 (Fig. 2) and 603 (Fig. 6a).” Office Action, page 3.

The reference designators listed under Figure 2 have been deleted from the drawing. A replacement drawing sheet reflecting this change is included in this submission. With regard to reference designator 603 of Figure 6a, the specification has been amended at paragraph 25 to correct an obvious error. The “main body 601” has been amended to the “main body 603”. The reference designator 601 had been previously assigned to the “dispenser” in this paragraph. It is clear, based on the description of the main body as including a neckdown that this renumbering of the drawing is appropriate. No new matter was added with this change. Applicant respectfully request withdrawal of this objection.

The Examiner has stated that “(t)he drawings are objected to under 37 CFR 1.83(a).” Office Action, page 4. The objection related to features of claim 10. Claim 10 has been deleted. Applicant requests withdrawal of this objection.

Please see the section below for a description of the other drawing changes.

**Specification objections:**

The Examiner has objected to the specification because “(r)eference numeral 430 refers to a principal axis (page 7, line 6) and a ball (paragraph 0022, line 2).” Office Action, page 4. The principal axis has been renumbered to correct this error. The specification has been amended at paragraph 18, and an associated change has been made to Figure 4A. A replacement paragraph reflecting the change has been submitted. A replacement drawing sheet reflecting the change has been submitted. No new matter has been added with these changes. Applicant respectfully request withdrawal of this objection.

**New Claims:**

New claims 16, 17, and 19 have been discussed above with regard to claim 13. No new matter was added with these claims.

New claims 21-23 have been added in light of the Examiner’s comments and allowance of claim 7. No new matter was added with this new claim. Claim 21 includes the

limitations of claim 1 and 7 yet omits the dependency of claim 2. Claims 22 and 23 depend upon claim 21. Applicant requests allowance of claim 21 and its dependent claims 22 and 23.

New claims 18 and 20 have been added to depend upon claim 11. Claim 18 adds the limitation as discussed above with claim 16. Claim 20 includes limitations previously seen in claims 1 and 6. No new matter was added with this new claim.

### **Summary**

Applicant has amended claims in light of the rejections, and has responded to all other issues. Applicant has amended the allowable subject matter of claim 7 into independent form. Applicant feels that all claims are in a condition for allowance and respectfully requests allowance of all claims. Should the Examiner have any questions regarding this response, the Examiner is invited to contact the undersigned at (831) 462-8270.

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